IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 24059 of 2004

Between:

P.Parvathi W/o.P.Gangadhara,Fair Price Shop Dealer,
Eguvapalli Village, Garladinna (M),
Anantapur Dist.

..... PETITIONER

AND

1 The Joint Collector Anantapur Dist., Ananthapur
2 The Revenue Divisional Officer, Ananthapur, Anantapur Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring the notification issued by the 2nd respondent in vide proceedings No.Rc.No.D1/CS/842/98 dt 7-12-2004 by calling the applications form the eligible candidates for appointment of new Fair Price Shop dealer in the Eguvapalli Village Garladinna Mandal Anantapur Dist without canceling my authorization is illegal and arbitrary and also violation of principles of natural justice while my authorization is subsisting till 31-3-2005 and also in violation of article 14,19 and 21 of the constitution of India and consequently set side the notification issued by the 2nd respondent in vide proceedings No.Rc.No.D1/CS/842/98 dt 7-12-2004 as illegal and direct the respondents herein to continue the petitioner as fair price shop dealer..

Counsel for the Petitioner: MRV.L.SURENDRA

Counsel for the Respondents 1 and 2: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following ORDER:

The petitioner challenges the notification dated 07.12.2004 issued by the second respondent inviting applications for appointment of a fair price shop dealer for Eguvapalli village, Garladinna mandal, Anantapur district. Several grounds are urged on behalf of the petitioner.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

It is not in dispute that the petitioner was appointed as a temporary dealer. By its very nature, such an appointment is to hold good till a dealer is appointed on regular basis. The impugned notification is issued for the purpose of selecting a dealer on regular basis. The petitioner does not have any right to continue as dealer inasmuch as her appointment was only on temporary basis.

Hence, the writ petition is disposed of leaving it open to the second respondent to proceed with the selections. It is, however, made clear that if there are no serious allegations against the petitioner, she shall be continued as a temporary dealer till a regular dealer is appointed. No order as to costs.

27-12-2004

Note: Issue C.C. in three days

(B/o)

ksld

To

1 The Joint Collector Anantapur, Ananthapur Dist.
2 The Revenue Divisional Officer, Ananthapur, Anantapur Disttrict.

3 Two CCs. to the G.P. for Civil Supplies, High Court of A,.P.,

Hyderabad (OUT)

4 Two CD copies.